

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	:	CASE NO. 1:23 CR 00535
	:	
Plaintiff	:	JUDGE CHRISTOPHER A. BOYKO
	:	
	:	
vs.	:	MOTION TO DECLARE ACTION
	:	A COMPLEX CASE ON BEHALF OF
	:	DANIEL KOVACIC
DANIEL KOVACIC,	:	
	:	
Defendant	:	

Now come the defendant, by and through counsel, and respectfully move this Honorable Court to declare this matter complex pursuant to 18 U.S.C. §3161(h)(8)(B)(ii).

In support of this Motion to Declare Matter a Complex Case, counsel has conversed with the Assistant United States Attorney Brian Deckert, counsel would seek to have this action being declared as a complex case.

The indictment's genesis appears to be from weapons charge and extensive police investigation and based on the initial discovery there are numerous documents to review, including body camera video, that are at the heart of the subject matter of this action. Furthermore, there is concern surrounding the circumstances of the allegations which may require additional investigation to review the events surrounding the detention and arrest of the accused.

Counsel suggests that the voluminous amount of discovery will take additional amount of time to review. Thereafter, the process of locating and preparing a proper defense in this action, will of necessity, be protracted. The defense will minimally require a great amount of time.

In addition to evidence gathered through search warrants, the United States also certainly must intend to introduce some of the many body cams recorded as a result of searches conducted in the course of the investigation.

The seriousness and complexity of the charges, the nature of the evidence and the need for this defendant to have a meaningful opportunity to prepare a defense are features, which make apparent and obvious the complexity of this case. Said designation is not being requested for any inappropriate reason of either undue or unfair delay but entirely for the purpose and spirit of Title 18 U.S.C. 3161(h)(8)(B)(ii) and providing these defendants with effective assistance of counsel.

This Motion is being made in conjunction with Defendants' Waiver of Rights Pursuant to Speedy Trial Act of 1974, for the above stated reasons and because it involves extensive discovery which has not yet been completed. Defense counsel hereby represents that he has spoken with the defendant and the defendant is very agreeable to waive the statutory time period pursuant to The Speedy Trial Act of 1974, so the defendant may review the body camera and additional evidence in this action.

WHEREFORE, Defendants respectfully requests that this Honorable Court declare this matter a complex case pursuant to 18 U.S.C. §3161.

Respectfully submitted,

/s/ John P. Luskin

JOHN P. LUSKIN
Attorney for Defendant
5252 Meadow Wood Blvd,
Suite 121
Cleveland, Ohio 44124
(216) 513-6099
Supreme Court No. 0040158

SERVICE

A copy of the foregoing Motion To Declare Action a Complex Case was provided Rebecca C. Lutzko, Esq., United States Attorney for the Northern District of Ohio, Brian Deckert, Esq., Assistant United States Attorneys was forwarded via the Court's Electronic Filing System this 28th day of October 2023.

/s/ John P. Luskin

JOHN P. LUSKIN
Attorney for Defendant